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Attorneys for Plaintiff Christian Gadbois

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In Re:) **Chapter 13**
Christian Gadbois,) **Case No.: 2:19-bk-10187-VZ**
Debtor) **Adv. No.: 2:21-ap-01158-VZ**
Christian Gadbois,)
Plaintiff) **DECLARATION OF MICHAEL**
v.) **CHEKIAN REGARDING PRE-TRIAL**
Minter Field Airport District, a special district) **STIPULATION**
formed under the California Airport District)
Act; and Does 1-5, Inclusive)
Defendants)
Pre-Trial Conference:)
Date: May 26, 2022)
Time: 11:00 a.m.)
Place: Zoom Government or Ctrm. 1368,
255 E. Temple Street, Los Angeles, CA
90012

TO: HON. VINCENT ZURZOLO AND DEFENDANT:

Plaintiff Christian Gadbois (“Plaintiff”) hereby submits the attached declaration of Plaintiff’s counsel Michael Chekian regarding the pre-trial stipulation relating to the above referenced pre-trial conference.

Dated: May 20, 2022

/s/ Michael F. Chekian _____
Michael F. Chekian
Chekian Law Office
Attorneys for Plaintiff

DECLARATION OF MICHAEL CHEKIAN
REGARDING PRE-TRIAL STIPULATION

I, Michael Chekian, am an attorney duly licensed to practice law in the Central District of California. I do hereby declare under the penalty of perjury that the following is true and correct to the best of my personal knowledge and belief, and if called upon as a witness, I could and would personally testify under oath in a court of law to the truthfulness of each of the below facts.

1. I am the attorney for the debtor and plaintiff herein, Christian Gadbois ("Plaintiff") in the pending adversary proceeding ("Adversary") against Minter Field Airport District ("Defendant"), case number 2:21-ap-01158-VZ.

2. In this Adversary, the pre-trial Conference ("Pre-Trial Conference") is scheduled for May 26, 2022 at 11:00 a.m.

3. By the Court's amended scheduling order entered on November 24, 2021 as docket 18 ("Scheduling Order"), all discovery was to be completed by March 1, 2022 and the last day for pre-trial motions to be heard was April 1, 2022.

4. Defendant's counsel and I agreed to a late deposition of Plaintiff which occurred on March 29, 2022. In and around that date, Defendant's counsel Brett Stroud and I tentatively agreed to stipulate to a continuance of the litigation deadlines in this matter to allow Plaintiff to access his files being held in closed storage by Defendant, containing relevant files to prove up his alleged damages. However, I later determined it was too late to file this pre-trial motion per the Scheduling Order's April 1 motion hearing deadline.

5. Due to my late determination of the motion deadline, I was also late in setting up the pre-trial conference and sending the proposed pre-trial stipulation ("Pre-Trial Stipulation") to Defendant's counsel as required by the Local Rules. I did send the proposed Pre-Trial Stipulation plus Plaintiff's proposed exhibits to Defendant's counsel this week and also spoke with Defendant's counsel Brett Stroud about the Pre-Trial Stipulation on May 19, 2022. A true and correct copy of Plaintiff's proposed Pre-Trial Stipulation is attached hereto as Exhibit A.

6. Mr. Stroud told me yesterday that he would send his edits to the Pre-Trial Stipulation by today. I expect we should be able to file the Pre-Trial Stipulation by Monday, May 23, 2022.

7. I intend to file a motion to continue the May 26, 2022 Pre-Trial Conference on Monday, May 23, 2022 to allow the Court ample time to review the Pre-Trial Stipulation.

8. I sincerely apologize to the Court and to Defendant's counsel for my lateness with respect to the Pre-Trial Conference deadlines.

I do hereby declare under the penalty of perjury and pursuant to the laws of the United States of America that the foregoing is true and correct and that this declaration is executed this 20TH day of May, 2022, at Los Angeles, California.

/s/ Michael Chekian
Michael Chekian

1 Michael F. Chekian, SBN 165026
2 Chekian Law Office
3 445 South Figueroa St., Ste. 3100
4 Los Angeles, CA 90071
5 Voice (310) 390-5529
6 Facsimile (310) 451-0739
7 Email mike@cheklaw.com

8 Attorney for Plaintiff Christian Gadbois

9
10
11 **UNITED STATES BANKRUPTCY COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION**

13
14 In re CHRISTIAN F.C. GADBOIS,
15 Debtor

16
17 -----
18 CHRISTIAN F.C. GADBOIS,
19 Plaintiff,

20 v.
21 MINTER FIELD AIRPORT DISTRICT, a
22 special district formed under the California
23 Airport District Act,
24 Defendant

25 Chapter 13
26 Bk. No. 2:19-bk-10187-VZ
27 Adv. No. 2:21-ap-01158-VZ

28
29 **PRE-TRIAL STIPULATION ON**
30 **COMPLAINT FOR VIOLATION OF**
31 **AUTOMATIC STAY; RECOVERY OF**
32 **PROPERTY OF ESTATE**

33 **Pre-Trial Conference**

34 **DATE:** May 26, 2022

35 **TIME:** 11:00 a.m.

36 **PLACE:** Ctrm. 1368, 255 E. Temple Street
37 Roybal Federal Building
38 Los Angeles, CA 90012

39
40 **TO: HON. JUDGE VICTOR ZURZOLO, INTERESTED PARTIES:**

41 Christian C. Gadbois, debtor and plaintiff in this adversary proceeding ("Plaintiff") and
42 Minter Field Airport District, a special district formed under the California Airport District Act,
43 defendant in this adversary proceeding ("Defendant") SUBMIT THE FOLLOWING PRE-
44 TRIAL STIPULATION through their respective counsels pursuant to Local Bankruptcy Rule
45 7016-1(b)(2).

46
47 ///

1 **I. UNDERLYING ISSUES OF FACT COMMON TO ALL CLAIMS FOR RELIEF**

2 A. Plaintiff filed a petition for relief under Chapter 13 on January 9, 2019
3 (“Bankruptcy”). The Bankruptcy is currently open and pending. Debtor’s confirmed plan
4 provides that 100% of Gadbois’ allowed claims be paid in full.

5 Not Contested.

6 B. Plaintiff commenced this adversary proceeding by filing a complaint on July 21, 2021
7 (“Adversary Complaint”).

8 Not Contested

9 C. Defendant is an entity, a special district formed under the California Airport District
10 Act.

11 Not Contested

12 D. After the Bankruptcy filing date, in or around April 1, 2020, Lease payments were
13 delinquent (“Default”).

14 Not Contested

15 E. On December 7, 2020, Defendant filed an unlawful detainer lawsuit based on the
16 Lease Default not against Plaintiff, but listing as the defendant SRT Helicopters, LLC (“SRT
17 LLC”) in Kern County Superior Court as case number BCL-20-015015 (“Eviction Lawsuit”).

18 Not Contested

19 F. On February 9, 2021, Defendant obtained a default judgment in the Eviction Lawsuit
20 against SRT LLC in amount of \$11,969.62, consisting of \$2,310.12 holdover damages,
21 \$9,444.50 attorney fees and \$215 costs (“Eviction Judgment”).

22 Not Contested

23 G. On December 11, 2020, Defendant filed a second lawsuit, this time for breach of
24 contract based on the Lease, again not against Plaintiff, but against SRT LLC in Kern County
25 Superior Court as case number BCL-20-015272 (“Civil Lawsuit”).

26 Not Contested

27 H. Plaintiff is or was the sole manager of SRT LLC.

28 Not Contested

I. Defendant alleged at paragraph 12 in the Civil Lawsuit that based on the Lease, SRT LLC failed to pay unpaid rent and costs and total compensatory damages of \$4,414.78 plus consequential damages.

Not Contested

J. Defendant obtained a default judgment against SRT LLC in the Civil Lawsuit entered on March 3, 2021 by default in amount of \$7,415.78 (“Civil Judgment”), comprised of \$4,414.78 in damages, \$2,956 attorney fees and \$45 costs.

Not Contested

K. After the entry of the aforementioned Eviction Judgment and Civil Judgment, Plaintiff tendered and Defendant accepted a rent check for the Premises in amount of \$800 cashed by the bank on April 19, 2021.

Not Contested

L. Defendant locked the doors and prevented Plaintiff's access to the Premises since The Kern County Sheriff performed a lockout pursuant to a writ of possession issued in the Eviction Lawsuit.

Not Contested

M1. Defendant currently holds Plaintiff's property formerly in the Premises in Defendant's storage facility. After the Adversary Complaint was filed, some of Plaintiff's property formerly in the Premises was returned to Plaintiff by Defendant's representative.

Not Contested

M2. Defendant was on notice of Plaintiff's Bankruptcy since at least January 12, 2021 when Plaintiff's lawyer wrote Defendant's lawyer.

Not Contested.

N. Plaintiff: The Bankruptcy is currently open and pending. Plaintiff's confirmed plan provides that 100% of Plaintiff's allowed claims be paid in full.

Contested

1 Plaintiff:

2 Evidence:

3 Testimony of Plaintiff

4 Plaintiff's Exhibit 1: Bankruptcy docket of Plaintiff

5 Exhibit 2: Order confirming Plaintiff's Bankruptcy plan

6 Defendant:

7 Evidence:

8 Defendant's Exhibit --:

9 O. Plaintiff: Plaintiff is the lessee under a commercial month to month lease with
10 Defendant as lessor dated March 1, 2018 ("Lease") wherein in exchange for payment of \$600 per
11 month plus utilities, Plaintiff would have use of an office space at 5215 Minter Field Avenue in
12 the city of Shafer, Kern County California ("Premises") in order to operate a helicopter
13 company, a sole proprietorship company named SRT Helicopters operated under Gadbois'
14 personal tax identification number.

15 Contested

16 Plaintiff:

17 Evidence:

18 Testimony of Plaintiff

19 Testimony of Defendant's agent Jonathan Hudson

20 Exhibit 3: Lease

21 Exhibit 4: Defendant's notice to Plaintiff terminating Lease

22 Exhibit 5: Plaintiff's 2017 tax returns excerpt

23 Exhibit 6: Plaintiff's 2018 tax returns excerpt

24 Exhibit 7: Plaintiff's 2017 SRT fictitious business name statement, Kern County

25 Defendant:

26 Evidence:

27 P. Plaintiff: The Eviction Lawsuit by Defendant against SRT LLC was an attempt to
28 unlawfully evict Plaintiff from the Premises during the pendency of his Bankruptcy.

1 Contested

2 Plaintiff:

3 Evidence:

4 Testimony of Plaintiff

5 Testimony of Defendant by Jonathan Hudson

6 Exhibit 1: Bankruptcy docket

7 Exhibit 3: Lease

8 Exhibit 4: Eviction Notice

9 Exhibit 8: Eviction summons and complaint

10 Exhibit 9: Eviction Judgment

11 Exhibit 10: Eviction writ of possession

12 Exhibit 11: Bankruptcy petition

13 Exhibit 14: Bankruptcy notice to Defendant's lawyers and their response

14 Defendant:

15 Evidence:

16 Q. Plaintiff: The Civil Lawsuit by Defendant against SRT LLC was an attempt to collect
17 Plaintiff's pre-petition debt or to exercise possession and/or control of property of Plaintiff's
18 bankruptcy estate during the pendency of his Bankruptcy.

19 Contested

20 Plaintiff:

21 Evidence:

22 Testimony of Plaintiff

23 Testimony of Defendant's most knowledgeable witness Jonathan Hudson

24 Exhibit 1: Bankruptcy docket

25 Exhibit 3: Lease

26 Exhibit 4: Defendant's notice terminating Lease

27 Exhibit 5: 2017 tax return

28 Exhibit 6: 2018 tax return

- Exhibit 11 Bankruptcy petition
- Exhibit 12: Civil Judgment
- Exhibit 13 Civil Judgment docket
- Exhibit 14: Bankruptcy notice to Defendant's lawyers
- Exhibit 19: Amended Bankruptcy schedules
- Exhibit 20: Bankruptcy schedules and statement of affairs

Defendant:

Evidence:

II. CLAIMS FOR RELIEF

A. First Claim: Defendant violated the automatic stay of Plaintiff's Bankruptcy (362(a)))

1. ELEMENTS OF THE CLAIM

a. A bankruptcy stay under 11 USC Section 362(a) existed since the filing of Plaintiff's Bankruptcy on January 9, 2019 until present.

Not contested

b. The Lease was a pre-petition debt incurred by Plaintiff and Defendant was a creditor of Plaintiff. The Lease Premises contained property of Plaintiff's Bankruptcy estate.

Contested

Plaintiff:

Evidence:

Testimony of Plaintiff

Testimony of Defendant's agent Jonathan Hudson

Exhibit 1: Bankruptcy docket

Exhibit 3: Lease

Exhibit 4: Notice terminating Lease

Exhibit 5: Plaintiff's 2017 tax returns

Exhibit 6: Plaintiff's 2018 tax returns

Exhibit 19: Amended Bankruptcy Sch

Exhibit 20: Bankruptcy schedules and statement of affairs

Defendant:

Evidence:

c. Defendant knowingly and repeatedly violated Plaintiff's Bankruptcy stay in its efforts to collect the Lease debt.

Contested

Plaintiff: Defendant actively pursued 2 lawsuits regarding the Lease Default, locking him out of the Premises even after receiving notice of the Bankruptcy. Defendant continues to hold property of the Bankruptcy estate in its closed storage and refuses to give possession of all of Plaintiff's property to Plaintiff.

Evidence:

Testimony of Plaintiff

Testimony of Defendant's agent Jonathan Hudson

Exhibit 1: Bankruptcy docket

Exhibit 3: Lease

Exhibit 4: Defendant's notice terminating Lease

Exhibit 8: Eviction summons and complaint

Exhibit 9: Eviction judgment

Exhibit 10: Eviction writ of possession document

Exhibit 12: Civil Judgment

Exhibit 13: Civil Judgment docket

Exhibit 14: Bankruptcy notice to Defendant and response

Exhibit 17: Defendant's amended answer to adversary complaint

Exhibit 22: Declaration regarding Civil Judgment

Defendant:

Evidence:

1 d. Defendant coerced and harassed Plaintiff in its efforts to collect the Lease debt.

2 Contested

3 Plaintiff: After receiving notice of the Bankruptcy, Defendant refused to vacate its 2
4 judgments for Eviction and for the Civil Lawsuit money judgment against SRT LLC and refused
5 to give full access to Plaintiff's business property.

6 Evidence:

7 Testimony of Plaintiff

8 Testimony of Defendant's witness Jonathan Hudson

9 Exhibit 1: Bankruptcy docket

10 Exhibit 3: Lease

11 Exhibit 4: Defendant's notice terminating Lease

12 Exhibit 8: Eviction summons and complaint

13 Exhibit 9: Eviction judgment

14 Exhibit 10: Eviction writ of possession document

15 Exhibit 12: Civil Judgment

16 Exhibit 13: Civil Judgment docket

17 Exhibit 14: Bankruptcy notice to Defendant and response

18 Exhibit 17: Defendant's amended answer to adversary complaint

19 Exhibit 22: Declaration regarding Civil Judgment

20 Defendant:

21 Evidence:

22
23
24 B. Second Claim: Plaintiff can recover property of the estate against Defendants
25 (1306(a)(1), 541(a)(2))

26 1. ELEMENTS OF THE CLAIM

27 a. The Premises contained Plaintiff's pre-petition property of his Bankruptcy
28 estate, controlled by and in possession of Defendant.

1 Contested

2 Plaintiff: Defendant refused and continues to refuse to return all of Plaintiff's property
3 which it is holding in closed storage.

4 Testimony of Plaintiff

5 Testimony of Defendant's agent, Jonathan Hudson

6 Evidence:

7 Exhibit 5: Plaintiff's 2017 tax returns

8 Exhibit 6: Plaintiff's 2018 tax returns

9 Exhibit 7: Plaintiff's 2017 SRT fictitious business name statement

10 Exhibit 9: Eviction Judgment

11 Exhibit 10: Eviction writ of possession document

12 Exhibit 14: Letter to Defendant's lawyers and their response

13 Exhibit 17: Defendant's amended answer to Plaintiff's adversary complaint

14 Exhibit 19: Amended Bankruptcy schedules

15 Exhibit 20: Original bankruptcy schedules and statement of affairs

16 Defendant:

17 Testimony of:

18 Evidence:

19

20 **III. REMEDIES**

21 A. Money Damages

22 1. By reason of Defendant's actions, Plaintiff has been damaged in the sum to be
23 determined for reasonable attorney fees and costs he incurred pursuant to Bankruptcy
24 Code Section 362(k).

25 Contested

26 Plaintiff: Defendant violated the bankruptcy stay after being notified of its
27 existence. Defendant chose to sue Plaintiff two times under his SRT LLC name
28 in a thinly veiled effort to subvert the Bankruptcy stay.

1 Evidence

2 Testimony of Plaintiff

3 Testimony of Defendant's most knowledgeable witness Jonathan Hudson

4 Exhibit 3: Lease

5 Exhibit 4: Defendant's notice to Plaintiff terminating Lease

6 Exhibit 5: Plaintiff's 2017 tax returns excerpt-just the federal return

7 Exhibit 6: Plaintiff's 2018 tax returns excerpt-just the federal return

8 Exhibit 7: Plaintiff's 2017 SRT fictitious business name statement, Kern County

9 Exhibit 8: Eviction summons and complaint, Case. #BCL-20015015

10 Exhibit 9: Eviction Judgment

11 Exhibit 10: Eviction writ of possession

12 Exhibit 11: Bankruptcy petition-just the petition only, about 8 pages

13 Exhibit 12: Civil Judgment, Case #BCL-20-015272

14 Exhibit 13 Civil Judgment docket

15 Exhibit 14: Bankruptcy notice to Defendant's lawyers and their response

16 Exhibit 19: Amended Bankruptcy schedules

17 Exhibit 20: Original bankruptcy schedules and statement of affairs

19 Defendant:

20 Evidence:

22 2. By reason of Defendant's actions, Plaintiff has been damaged in an undetermined
23 amount of loss of business opportunities because he lost access to his files and
24 business property in the Premises from which he was locked out in the Eviction
25 Lawsuit.

26 Contested

27 Plaintiff: Defendant executed the Lease of the Premises pre-petition with Defendant as
28 lessor, fell behind on his month to month rent post-petition, and despite being giving notice of

1 the Bankruptcy, Defendant continued with its efforts to sue the non-party SRT LLC, obtained a
2 lockout order, locked Plaintiff out of the Premises, moved all his business equipment, files and
3 inventory to a closed storage, only allowing some limited access until very late in this litigation.

4 Evidence:

5 Testimony of Plaintiff

6 Testimony of Defendant's most knowledgeable witness Jonathan Hudson

7 Exhibit 8: Eviction summons and complaint

8 Exhibit 9: Eviction Judgment

9 Exhibit 10: Eviction writ of possession

10 Exhibit 11: Bankruptcy petition

11 Exhibit 12: Civil Judgment, Case #BCL-20-015272

12 Exhibit 13 Civil Judgment docket

13 Exhibit 14: Bankruptcy notice to Defendant's lawyers/ response

15 Defendant:

16 Evidence:

17 Testimony of

19 3. Defendant acted with callous disregard by suing SRT LLC twice, by locking Plaintiff
20 out of his Premises, by denying him access to his business inventory and implements,
21 justifying an award of punitive damages under Bankruptcy Code Section 362(k).

22 Contested

23 Plaintiff: Defendant executed the Lease of the Premises pre-petition with
24 Defendant as lessor, fell behind on his month to month rent post-petition, and
25 despite being giving notice of the Bankruptcy, Defendant continued with its
26 efforts to sue the non-party SRT LLC, obtained a lockout order, locked Plaintiff
27 out of the Premises, moved all his business equipment, files and inventory to a
28 closed storage, only allowing some limited access until very late in this litigation.

1 Evidence

2 Testimony of Plaintiff

3 Testimony of Defendant's agent Jonathan Hudson

4 Exhibit 8: Eviction summons and complaint

5 Exhibit 9: Eviction Judgment

6 Exhibit 10: Eviction writ of possession

7 Exhibit 11: Bankruptcy petition

8 Exhibit 12: Civil Judgment, Case #BCL-20-015272

9 Exhibit 13 Civil Judgment docket

10 Exhibit 14: Bankruptcy notice to Defendant's lawyers/ response

11 Exhibit 22: Defendant declaration for Civil Judgment

12 Exhibit 23: Defendant 2020 revenue

13 Exhibit 24: Defendant's insurance information 2020-2022

15 Defendant:

16 Testimony of

17 Evidence

20 **IV. AFFIRMATIVE DEFENSES**

21 A. FIRST AFFIRMATIVE DEFENSE:

22 1. Elements of the Affirmative Defense:

24 B. SECOND AFFIRMATIVE DEFENSE:

25 1..Elements of the Affirmative Defense:

1 **V. EXHIBITS TO BE OFFERED BY EACH PARTY AND OBJECTIONS TO EXHIBITS**

2 A. PLAINTIFF'S EXHIBITS: Plaintiff's exhibits are attached to this order as Appendix

3 1. Defendant stipulates to the admission and authenticity of the exhibits listed in Appendix 1.

4 B. DEFENDANT'S EXHIBITS: Defendant's exhibits are listed in and attached to
5 Appendix 2 of this order. Defendant stipulates to the admission and authenticity of the exhibits
6 listed in Appendix 2 [and contests the admissibility of the exhibits listed in the concurrently filed
7 "Motion to Exclude Evidence."] *Include the language in brackets ONLY if there are objections*
8 *to the admission of exhibits.*

9 If there is a dispute as to the authenticity or admissibility of either party's exhibits, the
10 objecting party shall file and serve concurrently with this pre-trial stipulation any motion to
11 exclude evidence with a supporting memorandum of points and authorities. Any response to the
12 motion shall be filed and served two court days prior to the pre-trial conference. All objections
13 to the admission of exhibits shall be resolved at the pre-trial conference. The failure to so object
14 to the admission of exhibits listed on Appendices 1 and 2 may be deemed a waiver of any
15 objection.

16

17 **VI. WITNESSES TO BE OFFERED BY EACH PARTY**

18 A. Plaintiff:

19 A list of the only witnesses Plaintiff shall call to testify at trial, a summary of their
20 intended testimony, and an estimate of the length of direct and cross-examination is attached to
21 this order as Appendix 3.

22 B. Defendant:

23 A list of the only witnesses Defendant shall call to testify at trial, a summary of their
24 intended testimony, and an estimate of the length of direct and cross-examination is attached to
25 this order as Appendix 4.

1 **VII. REBUTTAL TESTIMONY**

2 Plaintiff, who has the burden of establishing each element of its claim(s) for relief, will
3 be the first to introduce evidence to prove the facts necessary to enable Plaintiff to recover.
4 When Plaintiff rests, Defendant may then present evidence to contravene any of Plaintiff's claims
5 or in support of any affirmative defenses which the Defendant has included in this pre-trial
6 stipulation. After the close of Defendant's case, Plaintiff may present rebuttal testimony only to
7 counter evidence previously submitted by Defendant on issues not raised in Plaintiff's original
8 presentation of its case.

9 **STIPULATION**

10 The foregoing admissions have been made by the parties, and the parties have specified
11 the foregoing issues of fact and law remaining to be litigated. Therefore, this stipulation shall
12 supersede the pleadings and govern the course of trial in this adversary proceeding, unless
13 modified to prevent manifest injustice.

14
15 IT IS SO STIPULATED.

16
17 **Signature of Plaintiff or Attorney for Plaintiff:**

18 05/ /2022 Michael Chekian, Esq.

19 Date Type Name Signature

20
21 IT IS SO STIPULATED.

22 **Signature of Defendant or Attorney for Defendant:**

23 05/ /2022 Brett Stroud, Esq.

24 Date Type Name Signature

APPENDIX 1

Plaintiff OFFERS:

Exhibit 1: Bankruptcy Docket

Exhibit 2 Order Confirming Bankruptcy Plan

Exhibit 3: Lease

Exhibit 4: Defendant's notice terminating Lease

Exhibit 5: Plaintiff's 2017 tax returns excerpt-just the federal return

Exhibit 6: Plaintiff's 2018 tax returns excerpt-just the federal return

10 | Exhibit 7: Plaintiff's 2017 SRT fictitious business name statement, Kern County

11 | Exhibit 8: Eviction summons and complaint, Kern Case. #BCL-20015015

12 | Exhibit 9: Eviction Judgment

13 | Exhibit 10: Eviction -writ of possession doc

14 | Exhibit 11: Bankruptcy petition

15 | Exhibit 12: Civil Judgment, Kern Case BCL-20-015272

16 | Exhibit 13 Civil Judgment docket

17 | Exhibit 14: Bankruptcy notice to Defendant's lawyers and their response

18 | Exhibit 15: Adversary proceeding docket

19 | Exhibit 16: Plaintiff's adversary complaint

20 | Exhibit 17: Defendant's amended answer to adversary complaint

21 | Exhibit 18: Plaintiff's \$800 check to Defendant

22 | Exhibit 19: Amended Bankruptcy schedules

23 | Exhibit 20: Original bankruptcy schedules and statement of affairs

24 | Exhibit 21: Eviction docket-not available

25 | Exhibit 22: Dec. regarding Civil Judgment

26 | Exhibit 23: Cal. State Controller 2020 Defendant Revenues

27 | Exhibit 24: Defendant's insurance information 2020-2022

28 Defendant stipulates to Exhibits – to -- , but objects to Exhibits – to --

1 APPENDIX 2
2
3 DEFENDANT OFFERS:
4 Exhibit A:
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6 Plaintiff stipulates to Defendant's Exhibits--- thorough ---, but objects to
7 Defendant's Exhibits --- Exhibit D. *(See below Model for motion to exclude
8 evidence.)*
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1 APPENDIX 3
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4 PLAINTIFF'S WITNESSES
5
6

7 1. Christian F.C. Gadbois - Will testify that:
8
9 A. Filing of the Bankruptcy.
10 B. Circumstances regarding negotiation and execution of the Lease.
11 C. Lock out from the Premises.
12 D. Efforts to gain entry to the Premises and obtain his property.
13 E. Effects of the Civil Lawsuit and Eviction.
14 F. Formation and operation of SRT
15 G. Lost business opportunities due to lock out from the Premises.
16 H. Description and estimation of damages as a result of Defendant's actions.
17 . Estimated Direct: 90 minutes
18 Estimated Cross-examination: ____ minutes
19

20 2. Person most knowledgeable of Defendant agent Jonathan Hudson -Will testify that:
21
22 A. Relationship to Defendant.
23 B. Knowledge of Plaintiff, his business, Lease negotiations and execution.
24 C. Defendant's due diligence prior to Lease execution.
25 D. Lease default.
26 E. Knowledge of Plaintiff's Bankruptcy.
27 F. Facts and circumstances regarding Eviction Lawsuit and Civil Judgment
28 G. Actions regarding lockout and decision making process preventing Plaintiff's
access to Premises and his property.
Estimated Direct: 90 minutes
Estimated Cross-examination: ____ minutes

1 APPENDIX 4
2

3 DEFENDANT'S WITNESSES

4 1. ----- Will testify:

5 A. That

6 Estimated Direct: ____ minutes

7 Estimated Cross-examination: ____ minutes

8 2. ----- Will testify:

9 A.

10 Estimated Direct: -- minutes

11 Estimated Cross-examination: -- minutes

1 PROOF OF SERVICE OF DOCUMENT

2 I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business
3 address is:

4

5 A true and correct copy of the foregoing document described as **PRE-TRIAL STIPULATION** will be
6 served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d);
and **(b)** in the manner stated below:

7 **1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to
8 controlling General Order(s) and LBR, the foregoing document will be served by the court via NEF and
9 hyperlink to the document. On **Fill in Date Document is Filed**, I checked the CM/ECF docket for this
bankruptcy case or adversary proceeding and determined that the following person(s) are on the
Electronic Mail Notice List to receive NEF transmission at the email address(es) stated below:

10

11 Service information continued on attached page

12 **2. SERVED BY UNITED STATES MAIL OR OVERNIGHT MAIL** (indicate method for each person or
13 entity served):

14 On **Fill in Date Document is Filed**, I served the following person(s) and/or entity(ies) at the last known
15 address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in
a sealed envelope in the United States mail, first class, postage prepaid, and/or with an overnight mail
16 service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will
be completed no later than 24 hours after the document is filed.

17

18 Service information continued on attached page

19 **3. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL** (indicate method for
20 each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **Fill in Date**
Document is Filed, I served the following person(s) and/or entity(ies) by personal delivery, or (for those
21 who consented in writing to such service method), by facsimile transmission and/or email as follows.
Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no
22 later than 24 hours after the document is filed.

23

24 Service information continued on attached page

25 I declare under penalty of perjury under the laws of the United States that the foregoing is true and
correct.

26

27

28

 Date

Type Name

Signature

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 445 South Figueroa Street, 31st Floor, Los Angeles, CA 90071

A true and correct copy of the foregoing document entitled (specify): DECLARATION OF MICHAEL CHEKIAN REGARDING PRE-TRIAL STIPULATION will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 05/20/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Nancy K Curry(TR): trustee13la@aol.com
Christian F.C. Gadbois c/o Michael F Chekian: mike@cheklaw.com
United States Trustee (LA): ustpregion16.la.ecf@usdoj.gov
Minter Field Airport District c/o D. Max Gardner: dmgardner@dmaxlaw.com
Minter Field Airport District c/o Brett Stroud: bstroud@youngwooldridge.com

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

05/20/2022 Date	Michael Chekian Printed Name	/s/ Michael Chekian Signature
--------------------	---------------------------------	----------------------------------